

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Scottie E. Kennedy)	File Number EB-04-OR-185
Greenbrier, Arkansas 72058)	NAL/Acct. No. 200532620002
)	FRN 0012802096
)	

FORFEITURE ORDER

Adopted: June 17, 2005

Released: June 21, 2005

By the Regional Director, South Central Region, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to Scottie E. Kennedy for willful violation of Section 301 of the Communications Act of 1934, as amended (“*Act*”).¹ The noted violation involves Mr. Kennedy’s operation of a transmitter on 157.025 MHz (VHF marine channel 80) without a license.

2. On April 6, 2005, the District Director of the Commission’s New Orleans Field Office (“*New Orleans Office*”) issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$10,000 to Mr. Kennedy.² Mr. Kennedy has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“*Act*”),³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Commission’s Rules,⁴ Scottie E. Kennedy **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully operating a radio transmitter without a license in violation of Section 301 of the Act.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment of the forfeiture must be made by check or similar instrument, payable to the order of the Federal Communications Commission. The payment must include the NAL/Acct. No. and FRN No. referenced above. Payment by check or money order may be mailed to Federal Communications Commission, P.O. Box 358340, Pittsburgh, PA 15251-8340. Payment by overnight mail may be sent

¹47 U.S.C. § 301.

²*Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200532620002 (Enf. Bur., New Orleans Office, released April 6, 2005).

³47 U.S.C. § 503(b).

⁴47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵47 U.S.C. § 504(a).

to Mellon Bank /LB 358340, 500 Ross Street, Room 1540670, Pittsburgh, PA 15251. Payment by wire transfer may be made to ABA Number 043000261, receiving bank Mellon Bank, and account number 911-6106. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by First Class Mail and Certified Mail Return Receipt Requested to Scottie E. Kennedy at his address of record.

FEDERAL COMMUNICATIONS COMMISSION

Dennis P. Carlton
Regional Director, South Central Region
Enforcement Bureau

⁶See 47 C.F.R. § 1.1914.